APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,901	04/14/2004	Florian Patrick Nierhaus	2003P18698US	6111

7590   01/20/2011

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER
GAY, SONIA L

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
01/20/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/823,901	NIERHAUS, FLORIAN PATRICK
	Examiner	Art Unit	
	SONIA GAY	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01 December 2010</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-5, 7 - 33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-5, 7 -33</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to Amendment submitted on 12/01/2010. The text of those

sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on December 1, 2010 has been entered.

Response to Amendment

3.   Applicant's amendment filed on December 1, 2010 has been entered. No claims have

been amended. Claims 34 and 35 have been canceled. No claims have been added. Claims 1 -5

and 7 - 33 are still pending in this application, with claims 1, 11, and 21 being independent.

Claim Rejections - 35 USC § 103

1.   Claims 1- 5, 7, 8, 11 – 17, 19, 21, 23 – 25, 27, and 29-33 are rejected under 35

U.S.C. 103(a) as being unpatentable over Koch (US 7,412,040) in view Acker et al. (US

7,277,855), and further in view of Kanevsky et al. (US 6,618,704).

        For claim 1, Koch discloses a conferencing method and system, comprising: receiving

first conference-endpoint data for a first conference type from a first endpoint (column 6 lines 13

– 33) reading conference type identifier from a memory, the conference type identifier

specifying a second conference type for a second endpoint participating in the conference with

the first endpoint (column 5 lines 45 – 62; column 7 lines 48- 61); determining whether the

second conference type is different than the first conference type (column 6 lines 24 – 33);

selecting a conversion program based whether the second conference type is different than the

first conference type (column 6 lines 24 - 33); reading an endpoint identifier for the first endpoint

(column 6 lines 13 – 33); and, initiating execution of the conversion program on the first

conference- endpoint data to prepare converted first conference-endpoint data compatible with

the second conference type from the first conference-endpoint data, wherein the conversion

program is configured to utilize aiding data (pre-defined vocabulary, column 7 lines 15 – 17) to

enhance the conversion of the conference-endpoint data (column 6 lines 44 – 61; column 7 lines

13 – 21; column 8 lines 8 - 35). Yet, Koch fails to teach selecting and specifying a conversion

parameter for the conversion program based on the endpoint identifier for the first endpoint;

transmitting the first conference-endpoint data to the second endpoint; and, transmitting the

converted conference-endpoint data to the first and second endpoint.

However, Acker et al. discloses a method for the purpose of conducting real time

communication session wherein a conversion parameter based on an endpoint identifier (a pTTS

template associated with an author wherein a PTTS template is a data file containing

information representing voice characteristics of the author or voice characteristics selected by

the author, column 4 lines 19 - 33) is selected by a conversion program (conversion routine,

Fig.3, 136; column 5 lines 18 – 36) to convert first endpoint data to second endpoint data,

transmit the first endpoint data to the second endpoint, and transmit converted first endpoint data

to the second endpoint, (Abstract; column 4 lines 8- 59; column 5 lines 9 - 43, 56 – 63; column 7 lines 54 – 67; column 8 lines 63 – column 9 lines 13).

Additionally, Kanevsky et al. discloses a method for the purpose of teleconferencing with a deaf or hearing impaired wherein a speech-to-text conversion program (ASR, column 3 lines 40 - 48) which uses aiding data (stored profile or dictionary, column 4 lines 54 - 63) converts first conference-endpoint data to second conference-endpoint data and transmits the converted first conference-endpoint data to the first and second endpoint (Abstract; column 3 lines 48 - 50; column 4 lines 64 - column 5 line 63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Acker et al. and Kanevsky et al. so that the text-to-speech conversion program disclosed above in Koch selects and specifies conversion parameters such as those contained within a personalized text to speech template for the purpose of converting the first-conference endpoint data to data that is compatible with a second conference type to increase accuracy and user satisfaction with performing text-speech/speech-text translations by allowing the characteristics and preferences of the conferees to be conveyed within the text-speech translations; transmit the first conference-endpoint data to the second endpoint for the purpose of maintaining the integrity of the original conference data; and, transmit the converted first conference endpoint data to both the first and second endpoint for the purpose of conducting real time messaging, including reviewing the converted first conference endpoint data by the first conference endpoint.

For claims 11 and 21, Koch discloses a conference system and computer readable medium (network translator service, Fig.2, 200; column 11 lines 27 - column 12 lines 29), comprising: a memory (data store, column 5 lines 45 - 62) comprising : a first conference-endpoint data for a first conference type received from a first endpoint (column 5 lines 45 - 62; column 6 lines 34 - 40; column 9 lines 6 - 14; column 9 lines 51 - 61); a conference type identifier specifying a second conference type for a second endpoint participating in a conference with the first endpoint (column 5 lines 29 - 62; column 6 lines 34 - 40); a conversion program operable to prepare converted first conference endpoint data compatible with the second conference type from the first conference endpoint data (column 6 lines 44 - 61) and a processor (VoiceXML gateway, column 6 lines 13 - 23) operable to determine whether the second conference type is different than the first conference type and to execute the conversion program when the second conference type is different than the first conference type (column 6 lines 13 - 23). Yet, Koch fails to teach where the processor initiates transmission of the converted first endpoint data to the first endpoint and second endpoint and transmission of the first conference-endpoint data to the second endpoint.

However, Acker et al. discloses a method for the purpose of conducting real time communication session wherein a conversion parameter based on an endpoint identifier (a pTTS template associated with an author wherein a PTTS template is a data file containing information representing voice characteristics of the author or voice characteristics selected by the author, column 4 lines 19 - 33) is selected by a conversion program (conversion routine, Fig.3, 136; column 5 lines 18 – 36) to convert first endpoint data to second endpoint data, transmit the first endpoint data to the second endpoint, and transmit converted first endpoint data

to the second endpoint, (Abstract; column 4 lines 8- 59; column 5 lines 9 -   43, 56 – 63; column

7 lines 54 – 67; column 8 lines 63 – column 9 lines 13).

   Additionally, Kanevsky et al. discloses a method for the purpose of teleconferencing with

a deaf or hearing impaired wherein a speech-to-text conversion program (ASR, column 3 lines 40

- 48) which uses aiding data (stored profile or dictionary, column 4 lines 54 - 63) converts first

conference-endpoint data to second conference-endpoint data and transmits the converted first

conference-endpoint data to the first and second endpoint (Abstract; column 3 lines 48 - 50;

column 4 lines 64 - column 5 line 63).

   Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the teachings of Koch with the teachings of Acker et al. and

Kanevsky et al. so that the text-to-speech conversion program disclosed above in Koch selects

and specifies conversion parameters such as those contained within a personalized text to speech

template for the purpose of converting the first-conference endpoint data to data that is

compatible with a second conference type to increase accuracy and user satisfaction with

performing text-speech/speech-text translations by allowing the characteristics and preferences

of the conferees to be conveyed within the text-speech translations; transmit the first conference-

endpoint data to the second endpoint for the purpose of maintaining the integrity of the original

conference data; and, transmit the converted first conference endpoint data to both the first and

second endpoint for the purpose of conducting real time messaging, including reviewing the

converted first conference endpoint data by the first conference endpoint.

For claims 2 and 12 , Koch further discloses where the first conference type is a text messaging conference, and where the second conference type is a voice conference (Koch, column 5 lines 1 - 19).

For claims 3, 4, 13, and 23, Koch further discloses where the act of initiating execution of the conversion program comprises initiating execution of at least one of a text-to-speech translator and a speech-to-text translator (Koch, column 6 lines 44 – 61; column 7 lines 13 - 21).

For claim 5, Koch further discloses where the act of transmitting comprises transmitting the converted first conference-endpoint data and a first endpoint identifier to the second endpoint (Koch, column 6 lines 13 – 21, 56 – 61; column 8 lines 8 – 22).

For claim 7, Koch further discloses receiving second conference-endpoint data for the second conference type from the second endpoint; preparing converted second conference-endpoint data; and transmitting the second converted conference-endpoint data to the first endpoint (Koch, column 6 lines 62 – column 7 line 37).

For claim 8, Koch and Acker et al. further disclose where the act of initiating execution of the conversion program comprises initiating execution of a text-to-speech translator, and further comprising the act of selecting a voice for at least one of the first and second endpoints (Koch, column 6 lines 44 – 61) (Acker et al., column 4 lines 30 -59).

For claim 14, Koch further discloses where the conversion program comprises a text-to-speech translator, and where the memory further comprises a speech-to-text translator (Koch, column 6 lines 44 – 61; column 7 lines 13 – 21).

For claims 15, 16, and 24, Koch further discloses where: the memory further comprises second conference-endpoint data for the second conference type received from the second

endpoint (Koch, (column 5 lines 45 – 62; column 6 lines 34 – 40; column 9 lines 6 – 14; column 9 lines 51 - 61); and, where the processor executes the text-to speech translator on the first conference -endpoint data to prepare the converted first conference-endpoint data, and executes the speech-to-text translator on the second conference-endpoint data to prepare converted second conference-endpoint data (Koch, column 6 lines 62 – column 7 line 37); and where the processor initiates transmission of the second converted conference-endpoint data to the first endpoint (Koch, column 6 lines 62 – column 7 line 37).

For claims 17 and 25, Koch further discloses where the act of transmitting comprises transmitting the converted first conference-endpoint data and a first endpoint identifier to the second endpoint (Koch, column 6 lines 13 – 21, 56 – 61; column 8 lines 8 – 22).

For claims 19 and 27, Koch and Acker et al. further disclose where the conversion program is a text-to-speech translator (Koch, column 6 lines 44 – 61), and where the memory comprises voice data for at least one of the first and second endpoints (Acker et al., column 4 lines 30 -59; column 5 lines 18 – 27)

For claim 29, Koch and Kanevsky et al. further disclose reading an endpoint identifier and establishing aiding data for speech-to-text translation associated with the endpoint identifier (Koch, column 5 lines 29 – 62) (Kanevsky et al., column 4 lines 54 – 60).

For claims 30 and 32, Koch and Kanevsky et al. further discloses wherein the aiding data includes a dictionary representative of common vocabulary (Koch, column 7 lines 15 – 17) (Kanevsky et al., column 4 lines 59 – 63).

For claims 31 and 33, Koch further discloses wherein the aiding data includes an identifier associated with a participant at the first endpoint (Koch, column 5 lines 29 – 62; column 6 lines 13 – 23).

2.   Claims 9, 10, 18, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 7,412,040) in view Acker et al. (US 7,277,855), and further in view of Kanevsky et al. (US 6,618,704), and further in view of Moore et al. (US 2004/0086100).

For claims 9, 18, 26, and 28, the combination of Koch, Acker et al., and Kanevsky et al. fails to teach where at least one of first conference type and second conference type is at least one of a decentralized text messaging conference and a centralized text messaging conference.

However, Moore et al. discloses a method for the purpose of completing calls by way of an instant communications client where at least one of first conference type and second conference type is at least one of a decentralized text messaging conference and a centralized text messaging conference (Moore et al., [0018] [0021] [0053 – 0055] [0063] [0099] [0100]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the combined teachings of Koch, Acker et al., and Kanevsky et al. with the teachings of Moore et al. so that the text messaging conference disclosed above in Koch is either decentralized or centralized for the purpose of completing calls by way of an instant communications client.

For claim 10, the combination of Koch, Acker et al., and Kanevsky et al. disclose where reading an endpoint identifier comprises: reading a name indicia that identifies the source of the

first conference-endpoint data (Koch, column 6 lines 44 - 61), yet fails to teach where: the

conversion parameter comprises a voice model conversion parameter that distinguishes between

male and female voice production

However, Moore et al. discloses a method for the purpose of completing voice calls by

way of an instant communications client wherein the conversion parameter comprises a voice

model conversion parameter that distinguishes between male and female voice production

([0111]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the combined teachings of Koch, Acker et al., and Kanevsky et

al. with the teachings of Moore et al. so that the conversion parameter disclosed above in Acker

et al. further comprises a voice model conversion parameter that distinguishes between male and

female voice production for the purpose of performing the text-to-speech conversion disclosed

above in Koch to improve the accuracy of performing speech conversion wherein voice models

can be either stored voice templates with conversion parameters generated by an conference

endpoint or voice models with conversion parameters which are selected, but not generated, by

the conference endpoint.

3.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US

7,412,040) in view Acker et al. (US 7,277,855), and further in view of Kanevsky et al. (US

6,618,704), and further in view of Smyth et al. (US 7,007,098).

For claim 20, the combination of Koch, Acker et al., and Kanevsky et al. fails to teach

where the processor is further operable to filter, according to a filter criteria, the first conference-

endpoint data, the second conference - endpoint data, or both to eliminate endpoint data that

would otherwise be communicated to the first endpoint, the second endpoint, or both; and, where

the filter criteria comprises an n-loudest filter criteria for the purpose of processing only endpoint

data only from n-loudest endpoints connected to a conference, including the first and second

endpoints.

However, Smyth et al. discloses a teleconference server with a processor (column 5 lines

43 – 45) where the processor is further operable to filter, according to a filter criteria, the first

conference-endpoint data, the second conference - endpoint data, or both to eliminate endpoint

data that would otherwise be communicated to the first endpoint, the second endpoint, or both(

column 2 lines 35 – 46; column 3 line 51 – column 4 line 2) for the purpose of reducing the use

of processor resources (Abstract); and, where the filter criteria comprises an n-loudest filter

criteria for the purpose of processing only endpoint data only from n-loudest endpoints

connected to a conference , including the first and second endpoints. (Smyth et al., column 2

lines 35 – 46; column 3 line 51 – column 4 line 2)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the combined teachings of Koch, Acker et al., and Kanevsky et

al. with the teachings of Smyth et al. wherein the processor of the teleconference server disclosed

above in Koch is further operable to filter, according to a filter criteria, the first conference-

endpoint data, the second conference - endpoint data, or both to eliminate endpoint data that

would otherwise be communicated to the first endpoint, the second endpoint, or both for the

purpose of conserving the use of processor resources wherein more than two people are

participating in the call. Additionally, the filter criteria comprise an n-loudest filter criteria for

the purpose of processing only endpoint data only from n-loudest endpoints connected to a

conference, including the first and second endpoints.

4.   Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US

7,412,040) in view Acker et al. (US 7,277,855), and further in view of Kanevsky et al. (US

6,618,704), and further in view of Geofroy et al. (US 7,124,163).

        For claim 22, the combination of Koch, Acker et al., and Kanevsky et al. fails to teach

decoding the first conference-endpoint data with a first Coder/Decoder (CODEC) to obtain

decoded first conference-endpoint data; and, negotiating with the second endpoint to determine

the specific CODEC for the second endpoint, where initiating preparation includes recoding the

decoded first conference-endpoint data by applying a specific CODEC, different than the first

CODEC, on the decoded first conference-endpoint data.

        However, Geofroy et al. discloses data/media servers with computer readable mediums

encoded with instructions for the purpose of performing a variety of basic and enhanced services

in telephony networks or typical data exchange services of the sort which occur over the Internet

including transcoding between different codec types by negotiating with the second endpoint to

determine the specific CODEC for the specific endpoint, converting text to speech or speech to

text (column 2 lines 5 – 20)

        Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the combined teachings of Koch, Acker et al., and Kanevsky et

al. with the teachings of Geofroy et al. to decode the first conference-endpoint data with a first

Coder/Decoder (CODEC) to obtain decoded first conference-endpoint data and recode the

decoded first conference-endpoint data by applying a specific CODEC, different than the first

CODEC, on the decoded first conference-endpoint data for the purpose of providing a

conferencing services between communication devices which use the same media type with

different encoding methods .

Response to Arguments

5.   Applicant's arguments with respect to claims 1, 11, 21 with respective dependents have

been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SONIA GAY whose telephone number is (571)270-1951. The

examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sonia Gay/
Examiner, Art Unit 2614
January 5, 2010

/Rasha S AL-Aubaidi/
Primary Examiner, Art Unit 2614